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Attorney for Defendant
ARCELI SANCHEZ

6
7 UNITED STATES DISTRICT COURT
8 DISTRICT OF NEVADA

9 * * *

10 UNITED STATES OF AMERICA,) Case No.: 22-MJ-00555-BNW
11 Plaintiff,)
12 v.) STIPULATION AND ORDER TO
13) CONTINUE ARRAIGNMENT
14 ARCELI SANCHEZ,)
15 Defendant,)
16 _____) (First Request)

17 IT IS HEREBY STIPULATED by and between ARCELI SANCHEZ, Defendant, by and
18 through counsel JAMES C. GALLO, JR., ESQ.; and the United States of America, by and through,
19 ANGELICA MARMORSTEIN, ESQ., Assistant United States Attorney, and the Arraignment
20 currently scheduled for August 18, 2022, at the hour of 11:00 a.m., be continued to a date and time
21 to be set by this Honorable Court.

23 This Stipulation is entered into for the following reasons:

- 24 1. Counsel for Defendant has requested a continuance from Assistant U.S. Attorney
25 Angelica Marmorstein who has no objection to this continuance.
26
27 2. Counsel for Defendant will be in a hearing in District Court that is scheduled to go
28 for argument at the same time and day.

3. Counsel for Defendant a continuance of thirty to sixty days if possible to appear in court, as Defendant has also just started a brand new job.
 4. Denial for this request for continuance would deny the parties herein time and the opportunity to appear in person, taking into account the exercise of due diligence.
 5. Additionally, denial of this request for continuance would result in a miscarriage of justice.
 6. For all the above-stated reasons, the ends of justice would best be served by a continuance of the Arraignment date.
 7. The additional time requested by this stipulation, is excludable in computing the time within which the trial herein must commence pursuant to the Speedy Trial Act, 18 U.S.C. 3161(h)(7) (A), considering the factors under 18 U.S.C. 3161 (h)(7)(B)(i) and 3161 (h)(7)(B)(iv).
 8. This is the first request for a continuance of the Arraignment date in this case.

DATED this 15th day of August, 2022.

Respectfully submitted,

GALLO LAW OFFICE

UNITED STATES ATTORNEY

/S/ James C. Gallo
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/S/ Angelica Marmorstein
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10 UNITED STATES OF AMERICA,) Case No.: 22-MJ-00555-BNW
11 Plaintiff,)
12 v.) ORDER TO CONTINUE ARRAIGNMENT
13)
14 ARCELI SANCHEZ,)
15 Defendant,)
16 _____) (First Request)

17 FINDINGS OF FACT

18 Based on the pending Stipulation of counsel, and good cause appearing therefore, the
Court finds:

- 21 1. Counsel for Defendant has requested a continuance from Assistant U.S. Attorney
22 Angelica Marmorstein who has no objection to this continuance.
- 23 2. Counsel for Defendant will be in a hearing in District Court that is scheduled to go
24 for argument at the same time and day.
- 25 3. Counsel for Defendant a continuance of thirty to sixty days to appear in court, as
26 Defendant has also just started a brand new job.

4. Denial for this request for continuance would deny the parties herein time and the opportunity to appear in person, taking into account, the exercise of due diligence.
 5. Additionally, denial of this request for continuance would result in a miscarriage of justice.
 6. For all the above-stated reasons, the ends of justice would best be served by a continuance of the Arraignment date.
 7. The additional time requested by this stipulation, is excludable in computing the time within which the trial herein must commence pursuant to the Speedy Trial Act, 18 U.S.C. 3161(h)(7) (A), considering the factors under 18 U.S.C. 3161 (h)(7)(B)(i) and 3161 (h)(7)(B)(iv).
 8. This is the first request for a continuance of the Arraignment date in this case.

CONCLUSIONS OF LAW

The end of justice served by granting said continuance outweigh the best interest of the public and defendant in a speedy trial since the failure to grant said continuance would likely result in a miscarriage of justice, would deny the parties herein sufficient time and the opportunity within which to be able to effectively and thoroughly prepare for sentencing taking into account the exercise of due diligence.

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The continuance sought herein is excludable under the Speedy Trial Act, Title 18 U.S.C. 3161(h)(7) (B)(i), considering the factors under title 18 U.S.C. 3161 (h)(7)(B)(i) and 3161 (h)(7)(B)(iv).

ORDER

IT IS FURTHER ORDERED that the Arraignment scheduled for August 18, 2022, at the hour of 11:00 a.m., be vacated and continued to September 15, 2022 at 9:30 a.m.

DATED this 17th of August, 2022.

UNITED STATES MAGISTRATE
